

**RESOLUTION NO. 005-23**

**A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS IN EXCESS OF FIFTY THOUSAND DOLLARS (\$50,000) FOR THE PURPOSE OF PURCHASING CARDIAC MONITORS AND ALL NECESSARY APPURTENANCES FOR THE CITY OF NAPOLEON FIRE DEPARTMENT, AND TO AWARD SAID PURCHASE TO STRYKER SALES CORPORATION; AND DECLARING AN EMERGENCY**

**WHEREAS**, Section 106.04 of the City of Napoleon Codified Ordinances provides that “when the City may otherwise be required by the laws of Ohio, ordinance or resolution, to make any purchase or contract of any type of property or services, or contract for purchases or services by competitive bid, the proposal process, or quality based selection process, Council may eliminate the necessity therefor in the best interest of the City, as determined in the sole discretion of Council by a majority vote of the current members of Council[;]” and,

**WHEREAS**, the City of Napoleon Fire Department desires to purchase necessary materials for the proper operation of the Department; and,

**WHEREAS**, the purchase of cardiac monitors and appurtenances was included in the 2023 Master Bid Resolution, Resolution No. 068-22; and,

**WHEREAS**, the aforementioned materials can be purchased from Stryker Sales Corporation; and,

**WHEREAS**, Stryker Sales Corporation was included in the City Reoccurring Costs Vendor List, Resolution No. 069-22, for the year 2023; and,

**WHEREAS**, based on all the foregoing, it is the opinion of this Council that it is in the best interest of the City of Napoleon to eliminate the necessity for competitive bidding, as permitted in Article VI, Section 6.05 of the Charter of the City of Napoleon and Section 106.04 of the City of Napoleon Codified Ordinances; **Now Therefore**,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:**

Section 1. That, the City of Napoleon authorizes the expenditure of funds in excess of fifty thousand dollars (\$50,000) for the purchase of the necessary software, materials, supplies or other articles for its Fire Department, purchasing said items from Stryker Sales Corporation. Further, Council finds it to be in the best interest of the City to eliminate the necessity for competitive bidding.

Section 2. That, the City of Napoleon authorizes the City Manager on behalf of the City of Napoleon to utilize Stryker Sales Corporation for the purchase of software, materials, supplies or other articles for which the Fire Department has need pursuant to City of Napoleon Codified Ordinances Section 106.04.

Section 3. That, the City Manager is authorized and directed to enter into the aforementioned contract(s).


Section 4. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal

requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.


Section 5. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 6. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to begin the purchase process in a timely manner, and for further reasons as stated in the Preamble hereof.

Passed: 3-20-23

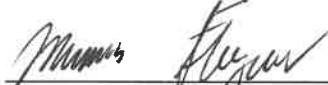
  
Joseph D. Bialorucki, Council President

Approved: 3-10-23

  
Jason P. Maassel, Mayor

VOTE ON PASSAGE 5 Yea 0 Nay 0 Abstain

Attest:

  
Marrison Flogaus, Clerk of Council

*I, Marrison Flogaus, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 005-23 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 27 day of March, 2023; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.*

  
Marrison Flogaus, Clerk of Council

Sally Heaston, being first duly sworn, says that she is the Publisher of The Northwest Signal a daily newspaper, published and of general circulation in the county of Henry aforesaid, and that the annexed notice was published in one issue in said paper, publishing on the 27th day of March, 2023.

*Sally Heaston*

Sally Heaston

Subscribed and sworn to before me this 28th day of March, 2023.

*Ramona L. Engelberth*

Notary Public

Ramona L. Engelberth

PUBLISHERS FEE: \$198.75  
NOTARY FEE: \$4.00



Ramona L. Engelberth  
Notary Public, State of Ohio  
My Commission Expires:  
11-JUL-2027

**Summary of Ordinance No.(s) 006-23, 007-23  
and Resolution No.(s) 005-23, 009-23**

**(PURSUANT TO ARTICLE II, SECTION 2.15 OF THE CITY CHARTER, CHAPTER 121 OF THE CODE OF ORDINANCES AND COUNCIL RULE 6.2.4.1, AS WELL AS APPLICABLE PROVISIONS OF ORC CHAPTER 731)**

**NOTICE**

A copy of the complete text of the above named Ordinance(s) and Resolution(s) are on file in the office of the City Finance Director and may be viewed or obtained during business hours of 7:30 AM to 4:00 PM, Monday through Friday, at the office of the Finance Director, the location being 255 West River-view Avenue, Napoleon, Ohio. A copy of all or part of the above named Ordinances and Resolutions, or any item mentioned in this notice, may be obtained from the City Finance Director upon the payment of a reasonable fee therefore.

**Ordinance No. 006-23**

An Ordinance creating the non-bargaining position of Parks and Recreation Facility Manager for the City of Napoleon, Ohio

In this legislation, the City of Napoleon created the position of Parks and Recreation Facility Manager.

**Ordinance No. 007-23**

An Ordinance amending Ordinance No. 077-22 regarding compensation of the City of Napoleon IT Specialist and IT Administrator positions for the year 2023; and declaring an Emergency

In this legislation, the City of Napoleon amended Ordinance 077-22 for the year 2023.

**Resolution No. 005-23**

A Resolution authorizing the expenditure of funds in excess of fifty thousand dollars (\$50,000) for the purpose of purchasing cardiac monitors and all necessary appurtenances for the City of Napoleon Fire Department, and to award said purchase to Stryker Sales Corporation; and declaring an Emergency

In this legislation, the City of Napoleon authorized the expenditure of funds over \$50,000 for the purchase of cardiac monitors for the City Fire Department.

**Resolution No. 009-23**

A Resolution authorizing contracts with the Townships of Napoleon, Harrison, Freedom, and the Village of Florida, and Henry County South Joint Ambulance District for fire service and/or emergency medical service commencing April 1, 2023; and declaring an Emergency

In this legislation, the City of Napoleon authorized contracts with Napoleon, Harrison and Freedom Townships, the Village of Florida and Henry County South Joint Ambulance District for fire and/or EMS services commencing April 1, 2023.